

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5472 of 2019

Arising Out of PS. Case No.-526 Year-2013 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Dilip Kumar Son of- Late Sukhdeo Prasad Tanti Resident of Mohalla-Sakarigali, Gulzarbagh, P.S. Alamganj, District- Patna, Suspended Manager Central Bank of India Hajipur Branch at present the Secretary of Central Bank Kramchari Swablami Co-operative Society Ltd.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pradeep Bhartiye Son of- Late Mahavir Prasad Bhartiye Resident of Mohalla-Lohapati Main Road, Opposite of Mithila Cycle Store Ward No.- 11, P.S.-Sitamarhi, Distirct-Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Vijay Kumar Sinha, Adv.
For the Opposite Party/s :	Mr.Mahendra Thakur, Adv.
	Mr. Sanjay Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 17-04-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 526(C) of 2013, disclosing offences under Sections 406, 420, 467, 468, 471, 34 of the Indian Penal Code.

Allegation as per complaint petition is that the complainant deposited the money in Central Bank Kramchari Swablambi Co-operative Society Ltd. of which the petitioner happens to be the Secretary and complainant and others altogether deposited Rs.16,19,501/-, which on maturity will be Rs.18,64,894/-. Further case is that the maturity amount of other



witnesses were of Rs.1,20,79,828/-, but when they went to the office of the petitioner to return of their money, the same was not returned.

Submission of learned counsel for the petitioner is that the Central Bank Kramchari Swablambi Co-operative Society Ltd. was a society registered under the Societies Act and the same has been superseded by the order of the Registrar and Administrator has been appointed as such petitioner has no liability to pay the amount and the petitioner has falsely been implicated in this case.

Heard learned A.P.P. as well as learned counsel for the complainant, they have opposed the prayer for anticipatory bail of the petitioner on the ground that the petitioner was the Secretary of the said society and he was responsible for the acts and misdeeds of the society and when the complainant and other members made complaint, the matter was inquired into and thereafter the society was superseded. Further submission is that other co-accused person, who was the Director had also moved before this Court, but his prayer for anticipatory bail has been rejected vide order dated 27.02.2017 passed in Cr. Misc. No. 8224 of 2017 by a Coordinate Bench of this Court.

Having heard both sides, in view of the facts and



circumstances of the case as stated above, I am not inclined to grant anticipatory bail to the petitioner, rather he should surrender and make prayer for regular bail.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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